

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To: IRVIN BRANCH
TOWNSEND AND TOWNSEND
AND CREW LLP
1400 WEWATTA STREET, SUITE 600
DENVER, CO 80202

PCT

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT AND
THE WRITTEN OPINION OF THE INTERNATIONAL
SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Date of mailing
(day/month/year)

16 JUL 2009

Applicant's or agent's file reference

26595-114-PC

FOR FURTHER ACTION See paragraphs 1 and 4 below

International application No.

PCT/US2009/045308

International filing date

(day/month/year)

27 May 2009

Applicant

THE WESTERN UNION COMPANY

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

When? The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.

Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes
1211 Geneva 20, Switzerland, Facsimile No.: +41 22 338 82 70

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.
3. ☐ **With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:**
- ☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
- ☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**

Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until **30 months** from the priority date (in some Offices even later); otherwise, the applicant must, within **20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the ISA/US

Mail Stop PCT, Attn: ISA/US
Commissioner for Patents
P.O. Box 1450, Alexandria, Virginia 22313-1450
Facsimile No. 571-273-3201

Authorized officer:

Blaine R. Copenheaver

Telephone No. 571-272-7774

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 26595-114-PC	FOR FURTHER ACTION see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/US2009/045308	International filing date (<i>day/month/year</i>) 27 May 2009	(Earliest) Priority Date (<i>day/month/year</i>) 12 August 2008
Applicant THE WESTERN UNION COMPANY		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of ✓ sheets.

☐ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the language, the international search was carried out on the basis of:

- ☒ the international application in the language in which it was filed
☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))

b. ☐ With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2. ☐ Certain claims were found unsearchable (see Box No. II)

3. ☐ Unity of invention is lacking (see Box No. III)

4. With regard to the title,

- ☒ the text is approved as submitted by the applicant
☐ the text has been established by this Authority to read as follows:

5. With regard to the abstract,

- ☒ the text is approved as submitted by the applicant
☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority

6. With regard to the drawings,

- a. the figure of the drawings to be published with the abstract is Figure No. 4
☒ as suggested by the applicant
☐ as selected by this Authority, because the applicant failed to suggest a figure
☐ as selected by this Authority, because this figure better characterizes the invention
- b. ☐ none of the figures is to be published with the abstract

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US2009/045308

A. CLASSIFICATION OF SUBJECT MATTER

IPC(8) - G06Q 30/00 (2009.01)

USPC - 705/14

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC(8) - G06Q 30/00 (2009.01)

USPC - 705/14

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

MicroPatent, Patbase, Google Patent, IEEEEXPLORE, Google Scholar

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 2007/0124204 A1 (DE BOER et al) 31 May 2007 (31.05.2007) entire document	12,16
Y		1-11,13-15,17-21
Y	US 2006/0259361 A1 (BARHYDT et al) 16 November 2006 (16.11.2006) entire document	19
Y	US 2008/0002344 A1 (GASKILL) 03 January 2008 (03.01.2008) entire document	13
Y	US 2006/0243806 A1 (GOODMAN et al) 02 November 2006 (02.11.2006) entire document	14,15
Y	US 2003/0040964 A1 (LACEK) 27 February 2003 (27.02.2003) entire document	1-11; 17-21
Y	US 2004/0205023 A1 (HAFFER et al) 14 October 2004 (14.10.2004) entire document	9

☐ Further documents are listed in the continuation of Box C.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search

08 July 2009

Date of mailing of the international search report

16 JUL 2009

Name and mailing address of the ISA/US

Mail Stop PCT, Attn: ISA/US, Commissioner for Patents
P.O. Box 1450, Alexandria, Virginia 22313-1450

Facsimile No. 571-273-3201

Authorized officer:

Blaine R. Copenheaver

PCT Helpdesk: 571-272-4300

PCT OSP: 571-272-7774

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To: IRVIN BRANCH
TOWNSEND AND TOWNSEND
AND CREW LLP
1400 WEWATTA STREET, SUITE 600
DENVER, CO 80202

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing
(day/month/year)

16 JUL 2009

Applicant's or agent's file reference
26595-114-PC

FOR FURTHER ACTION

See paragraph 2 below

International application No.
PCT/US2009/045308

International filing date (day/month/year)
27 May 2009

Priority date (day/month/year)
12 August 2008

International Patent Classification (IPC) or both national classification and IPC
IPC(8) - G06Q 30/00 (2009.01)
USPC - 705/14

Applicant
THE WESTERN UNION COMPANY

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/US
Mail Stop PCT, Attn: ISA/US
Commissioner for Patents
P.O. Box 1450, Alexandria, Virginia 22313-1450
Facsimile No. 571-273-3201

Date of completion of this opinion
08 July 2009

Authorized officer:
Blaine Copenheaver

PCT Helpdesk: 571-272-4300
PCT OSP: 571-272-7774

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITYInternational application No.
PCT/US2009/045308

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:
- ☒ the international application in the language in which it was filed.
- ☐ a translation of the international application into _____ which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).
2. ☐ This opinion has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))
3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, this opinion has been established on the basis of:
- a. type of material
- ☐ a sequence listing
- ☐ table(s) related to the sequence listing
- b. format of material
- ☐ on paper
- ☐ in electronic form
- c. time of filing/furnishing
- ☐ contained in the international application as filed
- ☐ filed together with the international application in electronic form
- ☐ furnished subsequently to this Authority for the purposes of search
4. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
5. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-11, 13-15, 17-21	YES
	Claims	12, 16	NO
Inventive step (IS)	Claims	None	YES
	Claims	1-21	NO
Industrial applicability (IA)	Claims	1-21	YES
	Claims	None	NO

2. Citations and explanations:

Claims 12 and 16 lacks novelty under PCT Article 33(2) as being anticipated by de Boer.

Regarding claim 12, de Boer teaches a universal loyalty program account (102, fig. 1) and financial account device (Rewards server, 502, fig. 5), the device comprising: a storage mechanism (Storage Device, 524, fig. 5) configured to store account information for at least one loyalty program account and at least one financial account associated with the universal loyalty program account and financial account device (associates a service establishment number with a merchant proprietor rewards account within the merchant loyalty program, paragraph 0014; a magnetic stripe or bar code associated with a consumer ID, paragraph 0058; alternate embodiments of the invention may be implemented which associate a consumer ID with a particular payment vehicle, such as a consumer's credit card account, charge card account, debit card account, and/or bank account for example, paragraph 0074); a display screen (Display device, 508, fig. 5) coupled with the storage mechanism (Storage Device, 524, fig. 5), the display screen configured to display account information for one or more of the at least one loyalty program account or the at least one financial account (A suitable display device/input device 508, such as a keyboard or pointing device in combination with a monitor, may be provided for receiving data from and outputting data to a user of the system, paragraph 0078); and a button mechanism (users may interact with the system via any input device such as a keyboard, mouse, kiosk, personal digital assistant, handheld computer (e.g., Palm Pilot.RTM., cellular phone, and/or the like), paragraph 0028; input device, 508, fig. 5) coupled with the storage mechanism (524, fig. 5) and the display screen (Display device, 508, fig. 5), the button mechanism configured to manipulate the account information displayed on the display screen (users may interact with the system via any input device such as a keyboard, mouse, kiosk, personal digital assistant, handheld computer (e.g., Palm Pilot.RTM., cellular phone, and/or the like), paragraph 0028).

Regarding claim 16, de Boer teaches the method of claim 12 and further teaches a biometric mechanism (a biometric device, paragraph 0058) coupled with the storage mechanism (Storage device, 524, fig. 5), the biometric device (a biometric device, paragraph 0058) configured to restrict access to the universal loyalty program account and financial account device (each database or system includes any of various suitable security features, paragraph 0027) based on valid biometric data (a biometric device, paragraph 0058) received at the biometric mechanism (identifying a consumer ID, paragraph 0058).

Claims 1-8, 10-11, 17-18 and 20-21 lack an inventive step under PCT Article 33(3) as being obvious over de Boer et al., hereinafter referred to as de Boer, in view of Lacek.

Regarding claim 1, de Boer teaches a method of providing universal access to loyalty programs (Incentive award programs have been developed in a variety of industries to promote customer loyalty, paragraph 0003) and financial accounts (A third-party provider may include, for example, a financial institution, such as a bank or an issuer of a financial instrument (such as a charge card, credit card or a debit card), paragraph 0041), the method comprising: a universal loyalty program account (A consumer may register to participate in the present system by any methods known and practiced in the art, paragraph 0039) and financial account device (a "consumer ID" may comprise any form of electronic, magnetic, and/or optical device capable of transmitting or downloading data from itself to a second device which is capable of interacting and communicating with such forms of consumer I.D. paragraph 0038); associating at least one loyalty program account with the universal loyalty program and financial instrument device (associates a service establishment number with a merchant proprietor rewards account within the merchant loyalty program, paragraph 0014; a magnetic stripe or bar code associated with a consumer ID, paragraph 0058); associating at least one financial account with the universal loyalty program and financial instrument device (alternate embodiments of the invention may be implemented which associate a consumer ID with a particular payment vehicle, such as a consumer's credit card account, charge card account, debit card account, and/or bank account for example, paragraph 0074); and accessing at least one of the at least one loyalty program account or the at least one financial account at a customer facing device (A suitable display device/input device 508, such as a keyboard or pointing device in combination with a monitor, may be provided for receiving data from and outputting data to a user of the system, paragraph 0078) using the universal loyalty program account and financial account device (Exemplary devices for identifying a consumer ID may include a conventional card reader which recognizes a magnetic stripe or bar code associated with a consumer ID, a biometric device, a smart card reader which recognizes information stored on a microchip integrated with a consumer ID, and any device capable of receiving or uploading consumer ID data transmitted electronically, magnetically, optically, and/or the like, paragraph 0058) but fails to teach initializing an account. Lacek is in the field of loyalty programs (abstract) and teaches initializing an account (a procedure for an unregistered user to register with the system, paragraph 0039).

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the procedure of Lacek with the invention of de Boer since Lacek teaches that it is useful in providing incentives to consumers to purchase products not only from a particular merchant or group of merchants but also from particular manufacturers (Lacek, paragraph 0011).

**WRITTEN OPINION OF THE
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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.
Continuation of:

Regarding claim 2, de Boer teaches the method of claim 1 and further teaches adding an additional loyalty program account or financial account to the universal loyalty program account and financial account device (enrollment module 412, paragraph 0075; new SE accounts to be enrolled in RPA, via a batch interface 1050, paragraph 0105); and removing one of the at least one loyalty program account or one of the at least one financial account from the universal loyalty program account and financial account device (any number of consumers, retailers, manufacturers, third-party providers, and the like may participate in the system of the present invention, paragraph 0042; batch interface 1050 detects changes such as, for example, modify and delete type transactions, paragraph 0105).

Regarding claim 3, de Boer teaches the method of claim 2 and further teaches wherein the adding and removing of the loyalty program accounts further comprise providing access to an account management interface which displays (A suitable display device/input device 508, such as a keyboard or pointing device in combination with a monitor, may be provided for receiving data from and outputting data to a user of the system, paragraph 0078) each of the loyalty program accounts and each of the financial accounts associated with the universal loyalty program account and financial account device (Preferably, a network interface 418 is provided for suitably interfacing with other elements of the incentive awards system, such as the elements described above with reference to FIGS. 1-3, paragraph 0075).

Regarding claim 4, de Boer teaches the method of claim 1 and further teaches wherein the universal loyalty program account and financial account device comprises one or more of the following: an electronic key fob, a cellular device, a presentation instrument with a magnetic stripe, a presentation instrument with a bar code, and a presentation instrument with a radio frequency (RF) chip (Any suitable computer-readable storage medium may be utilized, including hard disks, CD-ROM, optical storage devices, magnetic storage devices, and/or the like, paragraph 0032).

Regarding claim 5, de Boer teaches the method of claim 1 and further teaches wherein the at least one loyalty program account comprises one or more of the following account types: a retail store, a shoe store, a book store, a grocery store, a department store, a video rental store, a library, an airline, and a hotel (such as manufacturers, wholesalers, and retailers, to provide incentives to consumers, paragraph 0011).

Regarding claim 6, de Boer teaches the method of claim 1 and further teaches wherein the at least one financial account comprises one or more of the following account types: a credit card account, a debit account, a money transfer account, a stored value account, and an electronic wallet account (A third-party provider may include, for example, a financial institution, such as a bank or an issuer of a financial instrument (such as a charge card, credit card or a debit card), paragraph 0041).

Regarding claim 7, de Boer teaches the method of claim 1 and further teaches wherein the at least one loyalty program account and the at least one financial account comprises reward points which are accumulated (that customers accumulate points which have a dollar value which can be applied toward a credit or debit balance, paragraph 0004) based on usage of the accounts and according to rules of each account (induce usage of particular financial instruments, such as credit cards or debit cards, by accumulating reward points, paragraph 0004).

Regarding claim 8, de Boer teaches the method of claim 7 and further teaches sharing and combining the reward points from multiple loyalty program and financial accounts (points earned by a consumer based upon transactions with different retailers and/or manufacturers are combined, resulting in a rapid accrual of points, paragraph 0053; The MP may transfer points to an RPA from other reward accounts, or vice versa, paragraph 0095).

Regarding claim 10, de Boer teaches the method of claim 7 and further teaches transferring the rewards points to another customer's loyalty program account(s) or financial account(s) (The MP may transfer points to an RPA from other reward accounts, or vice versa, paragraph 0095); and transferring the rewards points to a charitable organization (a SE may comprise any merchant, retailer, individual, software, hardware, business, manufacturer, charity, supplier, government entity, third-party provider and/or any other entity that may accept a transaction instrument for payment in accordance with exemplary embodiments of this invention., paragraph 0093).

Regarding claim 11, de Boer teaches the method of claim 10 and further teaches wherein the exchanging and transferring operations (The MP may transfer points to an RPA from other reward accounts, or vice versa, paragraph 0095) comprise an associated fee, wherein the fee is a net fee (a transaction account for charging any fees that may be associated with participation in the system, paragraph 0039)..

Regarding claim 17, de Boer teaches a system for providing universal access to loyalty programs, the system comprising: a processing center (102, fig. 2) and a universal loyalty program account device (a "consumer ID" may comprise any form of electronic, magnetic, and/or optical device capable of transmitting or downloading data from itself to a second device which is capable of interacting and communicating with such forms of consumer I.D., paragraph 0038) and associating at least one loyalty program account with the universal loyalty program device (associates a service establishment number with a merchant proprietor rewards account within the merchant loyalty program, paragraph 0014; a magnetic stripe or bar code associated with a consumer ID, paragraph 0058); and a customer facing device (retailer terminal 108, fig. 2) coupled with the processing center (102, fig. 2), the customer facing device (display device 508, fig. 5) configured to access at least one of the at least one loyalty program account using the universal loyalty program account device (A suitable display device/input device 508, such as a keyboard or pointing device in combination with a monitor, may be provided for receiving data from and outputting data to a user of the system, paragraph 0078) but fails to teach initializing an account. Lacek is in the field of loyalty programs (abstract) and teaches initializing an account (a procedure for an unregistered user to register with the system, paragraph 0039).

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the procedure of Lacek with the invention of de Boer since Lacek teaches that it is useful in providing incentives to consumers to purchase products not only from a particular merchant or group of merchants but also from particular manufacturers (Lacek, paragraph 0011).

**WRITTEN OPINION OF THE
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International application No.

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of:

Regarding claim 18, de Boer teaches the method of claim 17 and further teaches at least one vendor network (104, fig. 1) associated with the at least one loyalty program account (merchant proprietor loyalty account, paragraph 0012), wherein the at least one vendor network are configured to transmit messages (information communicated between the online consumer, the online retailer, and the online central rewards mechanism may include, for example, product or service information, prices, availability of the product or service, shipping information, rewards points information, available awards, information regarding points ratios and points redemption, and/or the like, paragraph 0067) regarding one or more of coupons, rebates, sweepstakes, special offers, and combination offers to an account holder of the universal loyalty program account device (rewards terminal 116 may update a consumer's rewards points in real-time and, in response to the consumer's particular points total, issue a coupon, a gift certificate, and/or additional bonus points to the consumer, paragraph 0063).

Regarding claim 20, de Boer teaches the method of claim 17 and further teaches wherein the customer facing device (retailer terminal 108, fig. 2) comprises one or more of the following: an automated teller machine (ATM), a point-of-sale (POS) device (POS, 112, fig. 2), a kiosk, and an in lane device.

Regarding claim 21, de Boer teaches a machine-readable medium having a set of instructions stored thereon (functional blocks may be realized by any number of hardware and/or software components configured to perform the specified functions, paragraph 0025) for providing universal access to loyalty programs (a central rewards mechanism 102; a plurality of retailer/merchant systems 104, paragraph 0054) and financial accounts (alternate embodiments of the invention may be implemented which associate a consumer ID with a particular payment vehicle, such as a consumer's credit card account, charge card account, debit card account, and/or bank account for example, paragraph 0074) which, when executed by a machine, cause the machine to: associate at least one loyalty program account with the universal loyalty program and financial instrument device (associates a service establishment number with a merchant proprietor rewards account within the merchant loyalty program, paragraph 0014; a magnetic stripe or bar code associated with a consumer ID, paragraph 0058); associating at least one financial account with the universal loyalty program and financial instrument device (alternate embodiments of the invention may be implemented which associate a consumer ID with a particular payment vehicle, such as a consumer's credit card account, charge card account, debit card account, and/or bank account for example, paragraph 0074); and accessing at least one of the at least one loyalty program account or the at least one financial account at a customer facing device using the universal loyalty program account and financial account device (users may interact with the system via any input device such as a keyboard, mouse, kiosk, personal digital assistant, handheld computer (e.g., Palm Pilot.RTM., cellular phone, and/or the like), paragraph 0028) but fails to teach initializing an account.

Lacek is in the field of loyalty programs (abstract) and teaches initializing an account (a procedure for an unregistered user to register with the system, paragraph 0039).

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the procedure of Lacek with the invention of de Boer since Lacek teaches that it is useful in providing incentives to consumers to purchase products not only from a particular merchant or group of merchants but also from particular manufacturers (Lacek, paragraph 0011).

Claim 9 lacks an inventive step under PCT Article 33(3) as being obvious over de Boer in view of Lacek and further in view of Hafer et al., hereinafter referred to as Hafer.

Regarding claim 9, de Boer teaches the method of claim 7 and further teaches exchanging reward points from one or more of the at least one loyalty program account or financial account for a cash amount (potential awards which the consumer may obtain in exchange for various numbers of points, paragraph 0065) but fails to teach distributing the cash amount via a money transfer; and retrieving the money transfer at a money transfer agent location.

Hafer is in the field of money transfers (title) and teaches distributing the cash amount via a money transfer (when a customer conducts a transaction, including without limitation a money transfer transaction, paragraph 0031); and retrieving the money transfer at a money transfer agent location (some embodiments of convenience cards can be used to maintain a cash balance, which can be withdrawn through ATMs, accessed via a credit card network, and the like, paragraph 0032).

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the money transfer invention of Hafer with the invention of de Boer since Hafer teaches that it is useful in facilitating transactions and enhancing the utility of transactions to a customer by offering, in conjunction with a particular transaction, an incentive that would be useful to a customer after that single transaction (Hafer, paragraph 0004).

Claim 13 lacks an inventive step under PCT Article 33(3) as being obvious over de Boer in view of Gaskill.

Regarding claim 13, de Boer teaches the method of claim 12 and further teaches account information displayed on the display screen (A suitable display device/input device 508, such as a keyboard or pointing device in combination with a monitor, may be provided for receiving data from and outputting data to a user of the system, paragraph 0078) but fails to teach wherein the display screen is a touch screen and wherein the touch screen is configured to allow for the manipulation of information.

Gaskill is in the field of display systems (title) and teaches wherein the display screen is a touch screen and wherein the touch screen is configured to allow for the manipulation of information (lower screen may optionally be a touch screen, so the user can simply manipulate the information, paragraph 0012).

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the touch screen of Gaskill with the invention of de Boer since Gaskill teaches that it is useful in improving ergonomics (Gaskill, paragraph 0004).

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/US2009/045308

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of:

Claims 14 and 15 lack an inventive step under PCT Article 33(3) as being obvious over de Boer in view of Goodman et al., hereinafter referred to as Goodman.

Regarding claim 14, de Boer teaches the method of claim 12 and further teaches account information displayed on the display screen (A suitable display device/input device 508, such as a keyboard or pointing device in combination with a monitor, may be provided for receiving data from and outputting data to a user of the system, paragraph 0078) and at least one loyalty program (Incentive award programs have been developed in a variety of industries to promote customer loyalty, paragraph 0003) but fails to teach a barcode. Goodman is in the field of barcodes (title) and teaches a barcode (display one or more bar codes, paragraph 0039). It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the barcode of Goodman with the invention of de Boer since Goodman teaches that it is useful in tracking data in applications such as marketing (Goodman, paragraph 0002).

Regarding claim 15, de Boer teaches the method of claim 14 and further teaches at least one loyalty program account (Incentive award programs have been developed in a variety of industries to promote customer loyalty, paragraph 0003) but fails to teach wherein a button mechanism is configured to cycle through barcodes associated with the each instance that the button mechanism is pressed. Goodman is in the field of barcodes (title) and teaches wherein a button mechanism is further configured to cycle through barcodes associated with the each instance that the button mechanism is pressed (user actuates the selector 109 (rolls the wheel or presses the keys) to sequentially scroll through the bar codes stored in memory, paragraph 0042). It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the barcode scrolling technique of Goodman with the invention of de Boer since Goodman teaches that it is useful in tracking data in applications such as marketing (Goodman, paragraph 0002).

Claim 19 lacks an inventive step under PCT Article 33(3) as being obvious over de Boer in view of Lacek and further in view of Barhydt et al., hereinafter referred to as Barhydt.

Regarding claim 19, de Boer teaches the method of claim 18 but fails to teach wherein the messages are transmitted using one or more of the following transmission types: an email, a short message system (SMS) message, a text message, a voicemail, and an instant messenger message.

Barhydt is in the field of loyalty programs (title) and teaches wherein messages are transmitted using one or more of the following transmission types: an email, a short message system (SMS) message (automatically sends SMS messages to customers containing special offers, paragraph 0014), a text message, a voicemail, and an instant messenger message.

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the messaging of Barhydt with the invention of de Boer since Barhydt teaches that it is useful in providing a method of up-selling customers based on their buying habits (Barhydt, paragraph 0014).

Claims 1-21 meet the criteria set out in PCT Article 33(4), and thus have industrial applicability because the subject matter claimed can be made or used in industry